

## ROW Processing Fee Category Determination Decision For FLPMA and MLA Rights-of-Way

Applicant: \_\_\_\_\_

Address: \_\_\_\_\_

Agent: \_\_\_\_\_

Address \_\_\_\_\_

Application For: \_\_\_\_\_

Location: \_\_\_\_\_

Pre-Application Meeting Held:	<input type="checkbox"/> No	<input type="checkbox"/> Yes	_____ (date)
Land Use Plan Conformance?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	

Land Use Plan Conformance?        No        Yes

**Estimated Processing Requirements:**  
 Type of ROW: \_\_\_\_\_ FLPMA \_\_\_\_\_ MLA  
 NEPA Action Required: \_\_\_\_\_ EIS \_\_\_\_\_ EA \_\_\_\_\_ DNA \_\_\_\_\_ CE/CX

NEPA Action Required: \_\_\_\_\_ EIS \_\_\_\_\_ EA \_\_\_\_\_ DNA \_\_\_\_\_ CE/CX \_\_\_\_\_

NEPA Action Required: \_\_\_\_\_ EIS \_\_\_\_\_ EA \_\_\_\_\_ DNA \_\_\_\_\_ CE/CX \_\_\_\_\_

<b>Personnel Needed for Processing</b>	<b>Estimated Processing Hours</b>
Realty Specialist/Land Law Examiner	_____
Cultural/Paleontological Resources	_____
T&E Species	_____
Wildlife/Fisheries	_____
Air/Water/Soils	_____
Recreation/Visual	_____
Range	_____
Fluids/Minerals	_____
Administration/Contracting	_____
Manager	_____
Other _____	_____
Other _____	_____
<b>TOTAL HOURS</b>	_____

[illegible]

## Cultural/Paleontological Resources

## Cultural/Paleontological Resources

T&E Species	
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T&E Species	
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Wildlife/Fisheries

Wildlife/Fisheries

Air/Water/Soils

Air/Water/Soils

Recreation/Visual

Recreation/Visual

Range	
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Range	
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Administration/Contracting \_\_\_\_\_

Administration/Contracting \_\_\_\_\_

Manager \_\_\_\_\_

Manager \_\_\_\_\_

Other \_\_\_\_\_

Other \_\_\_\_\_

Other \_\_\_\_\_

Other \_\_\_\_\_

**TOTAL HOURS** \_\_\_\_\_

**TOTAL HOURS** \_\_\_\_\_

The appropriate Processing Category for this application is Category\_\_\_\_\_. The Processing fee for this Category is \$\_\_\_\_\_. Processing fees for Categories 1-4 are non-refundable. See enclosed table for Category definitions and fee schedule.

Prepared By: \_\_\_\_\_

Realty Specialist

\_\_\_\_\_

Date

Approved By: \_\_\_\_\_

Authorized Officer

\_\_\_\_\_

Date

Prepared By: \_\_\_\_\_ Date \_\_\_\_\_  
 Realty Specialist

## Realty Specialist

Date

Approved By: \_\_\_\_\_  
Authorized Officer Date

Authorized Officer

Date

## 2005 Processing Fee Schedule for FLPMA and MLA Rights-of-Way

Processing Category	Federal Work Hours Involved	Processing fee per application as of _____ 2005. To be adjusted annually for changes in the IPD-GDP.
1. Applications for new grants, assignments, renewals, and amendments to existing grants.	Estimated Federal work hours are $>1 \leq 8$ .	\$97
2. Applications for new grants, assignments, renewals, and amendments to existing grants.	Estimated Federal work hours are $> 8 \leq 24$ .	\$343
3. Applications for new grants, assignments, renewals, and amendments to existing grants.	Estimated Federal work hours are $> 24 \leq 36$ .	\$644
4. Applications for new grants, assignments, renewals, and amendments to existing grants.	Estimated Federal work hours are $> 36 \leq 50$ .	\$923
5. Master agreements.	Varies.	As specified in the agreement.
6. Applications for new grants, assignments, renewals, and amendments to existing grants.	Estimated Federal work hours are $> 50$ .	Full reasonable costs (FLPMA) Full actual costs (MLA)

### **Appeal Information**

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition (request) pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993) or 43 CFR 2804.1 for a stay (suspension) of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

#### Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

Enclosure  
BLM Form 1842-1